

LAST EDITION.

Circulation of THE WORLD Over 3,000,000 a WEEK.

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**IVES POOL BILL
KNOCKED OUT.**

**Judge Pryor Decides that
Betting at the Race Track
Is Unconstitutional.**

MEANS MUCH TO THE TURF.

**Opinion Handed Down in the Case
of Bookmaker "Bob" Irving
Against Britton.**

APPEAL TO BE TAKEN AT ONCE.

**No Interference with the Spring
Meeting at the Gravesend
Track Likely.**

The General Term of the Court of Common Pleas today rendered a decision declaring the Ives Pool bill, in so far as it purports to authorize pool-selling on race tracks, unconstitutional. The opinion is written by Judge Pryor and is in part as follows: In so far as it purports to authorize pool-selling on race tracks, is void for repugnancy to the prohibition of lotteries in section 10, article 1, of the Constitution of the State of New York.

Robert G. Irving, a bookmaker, brought an action against Joseph A. Britton to recover on a note which had been given by the latter for a bet on a horse race. The action came to trial in the City Court, where Irving secured a judgment. An appeal was taken to the General Term of the Court of Common Pleas, which reversed the judgment as stated and granted Britton the costs of the action.

Judge Pryor holds that "a pool on a horse race is a lottery within the interdiction of the Constitution. It is illegal, by the provision of the Revised Statutes, which makes unlawful all wagers, bets or stakes on any race or any unknown or contingent event whatever."

The decision states further: "The decision of the learned trial judge upon the legality of pool-selling appears to have been affected by the impression that the Ives Pool bill determines it to be in the line of public welfare. And yet that very act denounces pool-selling at any other place or time than on a race-course and on a race day, as a felony, and punishes it by confinement in a State prison. How the same thing can be a legal and laudable pastime at Sheepshead Bay on a race day and still be an infamous offense at all other times and at all other places, we own our inability to understand. The Legislature may be criticised for inconsistency, but is not amenable to the malediction imprecated upon them that call evil good."

You Read The Evening World?
Do You Read The Sunday World?

FOUR CASES OF SMALL-POX.

**One of the Sufferers Removed from
Bellevue Hospital.**

Four cases of small-pox were reported today. All of the patients were removed, some after they were found to be suffering from the disease, to North Brother Island. James McKoy, twenty-six years old, of 123 Park Row, was removed from Bellevue Hospital. The others were Meyer Jacob, twenty years old, of 92 Attorney Street; Julius Jacobson, thirty-four years old, of 14 Monroe Street; and a two-year-old child named Pella, from 49 East One Hundred and Fourteenth Street.

Labor Riot in Vienna.

VIENNA, May 7.—There was some serious rioting here today, when some of the striking builders' laborers assembled about the Burger Platz and tried to prevent the laborers who were at work from continuing their occupation. The police charged the rioters, and several men were wounded and seven arrests made.

Died in a Doorway.

Michael McCoy, forty-five years old, of 153 East Twenty-third Street, was found dead, sitting in the doorway of 32 Fifth Avenue, about 2 o'clock this morning, by Policeman Henry Hawkins, of the East Twenty-second Street station. The body was sent to the morgue.

Mrs. Gillespie Dead.

Mrs. Margaret Gillespie, the scrubwoman who had her skull crushed by an elevator in the Chamber Street Hotel last Wednesday, died in the Chamber Street Hospital this morning. Mrs. Gillespie was a widow thirty-five years old. She leaves four little children.

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TROLLEY HAS MANHATTAN.

**Car Makes Its Initial Trip on
West 135th Street.**

**Branch of Croker's "Huckleberry"
Soon to Run Regular Trips.**

The first trolley car, with several officials on board, was run over the West One Hundred and Thirty-fifth Street branch of the Union Railway, at 4:30 o'clock this morning.

President Maher said this morning that the test was entirely satisfactory, and cars will be run hereafter at regular intervals.

The Trolley Company has not yet laid its tracks across the New York Central Railroad's crossing at One Hundred and Thirty-eighth Street, and the patrons of the west side trolley will have to be transferred at this crossing as well as at One Hundred and Thirty-eighth Street and Third Avenue. At the latter place, passengers will be transferred to and from the main line.

The terminals on West One Hundred and Thirty-eighth Street are at Eighth Avenue, and passengers can now ride from this point to either West Farms, to Fordham, to Fortchester or return for a single fare.

President Maher said this morning that the tracks would in a few days be laid across the Central Railroad crossing. Asked whether there was any legal objection to the laying of the tracks and the stripping of trolley wires across the New York Central property at One Hundred and Thirty-eighth Street, he replied that there was not; that the laying of the tracks had simply been delayed for want of time.

It was suggested from another source, however, that the New York Central officials really object to the laying of the tracks, restraining the trolley people from encroaching, and that the latter are waiting until the New York Central tracks are raised in north New York, and will then run underneath the Central tracks.

The trolley line to Mount Vernon will be completed by about June 1, Mr. Maher said, and to New Rochelle by about August.

The fare from One Hundred and Twenty-ninth Street to Mount Vernon will be 10 cents, and to New Rochelle 15.

TREANO WILL NOT TALK.

**Neither Admits Nor Denies that He
Killed Molito.**

Angelo Treano, the Italian laborer who is accused by five witnesses now in the hands of the police of having stabbed and killed Nordo Molito, an Italian organ-grinder, yesterday afternoon in the yard of 195 Hester Street, was taken to Police Headquarters this morning and questioned by Inspector McLaughlin.

The famous third degree was applied, but he would not acknowledge his guilt. He simply refused to say anything about the fight.

After all the Central Office detectives had a good look at him, he was taken with the five witnesses to the Tenth Police Court, where Police Justice Taintor remanded him to await the action of the Coroner.

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According to the witnesses Treano caught Molito by the arm and pulled him three times. Molito staggered into the hallway of the house and fell dead. Treano was arrested in a room on the third floor. Although covered with blood he denied having killed Molito. The incident will be held today.

HARRISON TAKES A WALK.

**No Callers Come, So He Strolls on
the Avenue.**

Ex-President Benjamin Harrison had rather a lonely time at the Fifth Avenue Hotel this morning. He waited nearly two hours in his room after breakfast and nobody called to see him, so Squire and up the avenue.

He was perfectly secure from annoyance from staring pedestrians, for probably not a soul recognized the short and stocky little man with a gray beard.

He returned to the hotel after half an hour, and called on his return on William Brookfield had called in his absence, but could not wait for the chance of seeing him on his return.

"Jake" Patterson was lounging in the corridors when the ex-President came in from his walk, and eyed the little man with some curiosity. When asked if he intended to call on Mr. Harrison he replied:

"Now that isn't what I came here for."

No Opposition to Editor Long.

WHITE PLAINS, N. Y., May 7.—The annual election for village officers will take place tomorrow. The polls will open at noon and close at sundown. The retiring trustees are David Verplanck, Francis H. Hines and Edward B. Long, editor of the Westchester News. All candidates for re-election are the same.

There is no opposition to Long.

STILL STUCK IN MUD.

**Seven Tugs Fail to Move La
Champagne This Morning.**

**Lighters Are at Work Removing the
Steamship's Cargo.**

Another effort to be made to get her off this evening.

FORT HAMILTON, N. Y., May 7.—Seven tugs pulling for half an hour this morning at the stern of the French liner La Champagne, which lies stuck in the mud opposite Fort Hamilton, failed to move the big steamship an inch. Even when the two big hawsers attached to the keel anchors, which have a rool hold on the bottom 50 yards channelward, were pulled on to the heaving tackle, they did not help any to get the vessel into deep water.

The two tides which have ebbed since La Champagne ran her nose into the mud yesterday morning have allowed the steamship to settle still deeper into her bed of mud. She lies at least four feet lower than she did yesterday morning.

It was about 9:30 o'clock this morning when Agent Forget, of the French line, arrived at the scene in a tug. Already several lighters had left for New York loaded with part of the vessel's cargo. It was thought that the bow of the ship had been sufficiently lightened to make it possible for the tugs to haul her off into the channel, which lies a few hundred feet astern.

It was just high water when the seven tugs began to puff and snort and the heaving lines to strain. But it was no use, and after thirty minutes of useless effort, the lines were cast off and the tugs started cityward to wait for the next high tide this evening.

Two more lighters were set to work getting the cargo out of the hold, and by noon many hundred tons had been transferred to the lighters' decks. Mr. Forget's tug is now in front of the ship, and the tug is now in front of the ship, and the tug is now in front of the ship.

At the office of the Pilot Commissioners this morning it was stated that the report of Pilot Keely, who was in charge of the tug, was that the ship was stuck in the mud. The report was that the ship was stuck in the mud, and the report was that the ship was stuck in the mud.

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COXEY AS A WITNESS.

**In a New Spring Suit He Tells of
the Peacefulness of His Army.**

**Says Not a Chicken's Feather Can
Be Traced to His Camp.**

Commonwealth Leaders' Defense Lies in Blaming the Police.

(By Associated Press.)
Had its inning, today, in the Police Court, where the three leaders of the Commonwealth movement, Brown and Jones, are on trial for their May Day demonstration at the Capital. Young Attorney Hyman, who defends Brown and Jones, made the opening statement for the defense. There was no denial or defense for what the Commonwealths had done, he began. The defense would consist in the lawfulness of their actions. He could remember but one similar occurrence in history, the attorney said, and thereupon he produced a Bible and began to read a scriptural passage.

"I must object to that," interposed the District Attorney. "The gentleman should confine himself to a statement of fact."

"I object to the attorney doing that this is a fact," demanded the young lawyer, holding his Bible aloft, dramatically. He was permitted to proceed and read the passage of the Old Testament, referring to the Lord had commanded Moses to take off his hat because he tried on holy ground. He had not talked long before Judge Miller was compelled to make the same objection raised by the District Attorney, and to request the lawyer to devote himself to the recital of what was intended to be proved.

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DOOMED!

It Is a Sad Duty, but Father Knickerbocker Will Not Flinch.

BROKE A PASSENGER'S LEG.

**Big Seas Board the Amalfi and an
Iceberg Is Sighted.**

**Steamer American Reaches Port with
Propeller Blade Gone.**

**The German Steamer Amalfi arrived
here from Hamburg this morning and
Capt. Kraft reports an eventful voyage.**

She left Hamburg on April 19, and had its strange passenger aboard. On April 21 and 22 a heavy southeast gale was encountered. It was accompanied by very high seas. One of the big waves that boarded the Amalfi smashed port Helms No. 4.

Another heavy sea threw Emilie Osmuller, a stowaway passenger, against a rail and broke his leg. After the gale subsided the Amalfi ran into a heavy fog, which lasted two days.

On May 2, in lat. 43.15, long. 49.0, a gigantic iceberg was sighted. The great mass of ice was, it is estimated by Capt. Kraft, at least 300 feet high and half a mile long. In about the same latitude, and on the same day, an ice field four miles long was sighted.

Capt. Vogt, of the Dutch steamer American, which arrived in ballast today from Rotterdam, reports that during a fierce gale on April 25 his vessel lost one blade of her propeller. The gale commenced on April 24, and lasted two days. It was accompanied by tremendous seas.

OFF FOR ALBANY.

**Delegates to the Constitutional
Convention Make a Start.**

A majority of the delegates to the Constitutional Convention, which convenes in Albany to-morrow, left today for the State capital. Joseph H. Choate, who is the convention's president, is in the city by 3:30 o'clock. Many of the delegates went by the West Shore Railroad.

Both railroad companies put on additional cars to the regular trains in order to meet the expected demand, but no special trains were run for the reason that no organized body had announced their intention of going up. The delegates left in regular trains, and many of them went by the West Shore Railroad.

There will be a meeting at Albany to-night, at which plans for the Convention will be outlined.

COUNTERFEITER ARRESTED.

**Suspicious Coin Found in a St. Jo-
seph Man's Possession.**

ST. JOSEPH, Mo., May 7.—This city has been visited with counterfeit dollars and cents recently, and the Government Secret Service has finally made an arrest. R. G. Smith, a well-known citizen, was arrested last night and locked up on the charge of circulating the counterfeit coin.

A large number of the staff was found in the counterfeiters' den and a full confession, it is said, is expected. A number of arrests will be made to-day.

Bound to End His Life.

**BALTIMORE, May 7.—Thomas Holmes, of Bel-
mar, Md., and other persons, were ar-
rested to-day for the purpose of securing
evidence in the case of the late Senator
Charles McKim, who was shot and killed
on the Baltimore and Annapolis Railroad
last week.**

Doctors Unite

**In recommending the Genuine KEELY DOUBLE
CHLORIDE OF GOLD REMEDY for Indigestion,
Address Manager, 20 West 54th St.**

Round About Towns.

Michael Ehardt, twenty-seven years old, of 218 East Forty-seventh Street, was severely mangled about the body while at work in Henry Claessens' brewery, at East Forty-seventh Street, at 2:30 this morning. He was sent to Flower Hospital.

THE MINERS' CONFERENCE.

**It Will Be This Country's Largest
Meeting of Its Kind.**

COLUMBIUS, Mo., May 7.—John McBride today telegraphed Gavin McNamara of Cleveland, to propose for at least 1,000 operators, miners and visitors at the Cleveland meeting, May 11, to settle the mining question.

This will be the largest meeting of the kind ever held in this country.

"The World's" New Uptown Office.

"The World's" Uptown Office has moved into its new quarters at the junction of Broadway and Sixth Avenue, at Thirty-second Street. There are eight entrances, two on Broadway, two on Sixth Avenue and four on Thirty-second Street.

SALT LAKE CITY, May 7.—W. H. Remington, who returned from Peacocks last night, said he was authorized to state that Kipatrick & Collins, the railroad contractors at Beatrice, Neb., will furnish employment for every member



LAST EDITION.

**CROKER ASKS
FOR RELIEF.**

**Is This the First Step in His
Retirement as Leader
of Tammany?**

HE WANTS THE WORK DIVIDED.

**And Says He Is Tired
Having to Shoulder All
Responsibilities.**

NO TIME TO GO TO THE RACES.

**And If He Takes a Vacation
He Says He Is Criti-
cised.**

Richard Croker, who returned from Washington this morning, was preceded here by another one of those periodical political rumors that he was soon to retire as the leader of Tammany Hall into private life.

"An Evening World" reporter called on Mr. Croker at Tammany Hall and asked him whether the report was true. In reply he said he would make a statement that he hoped would set at rest all the talk about his contemplated withdrawal.

"These reports have started from talks I have had with members of Tammany Hall. I have told them what I tell you now, that I desire to be relieved of the responsibility that rests on me."

"I want to remain a member of Tammany Hall and